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PENSION PLAN TRUSTEE CONVICTED OF
EMBEZZLEMENT BY FEDERAL JURY

SACRAMENTO - A federal jury found a Yuba City man guilty of embezzling nearly a quarter of a million dollars from his company's pension fund, United States Attorney John K. Vincent announced today. Robert Thomas Bentz, 61, was also convicted of two counts of filing false tax returns pertaining to the pension fund and one count of failing to maintain required pension plan records. The jury was unable to agree on a fifth count which charged conspiracy.

According to Assistant U.S. Attorney R. Steven Lapham, who prosecuted the case, the evidence introduced at trial showed that in June 1994, Valley West Packaging & Supply, Inc. established an employee benefit pension plan, subject to the Employee Retirement Income Security Act of 1974 (ERISA), for which the defendant served as plan trustee. In April, 1995, Bentz, who was also president of Valley West Packaging & Supply, removed \$247,110.10, from the pension plan and routed it through a third person who wrote a check in the same amount back to the operating account of Valley West. The money was then used to pay the company's expenses. Shortly thereafter, Bentz, with the assistance of another individual, created false documents in order to cover-up the embezzlement, and subsequently filed false pension plan returns with the Internal Revenue Service and the Department of Labor. Thereafter, Bentz filed for bankruptcy and his company failed and went out of business.

Today's conviction follows an earlier guilty plea by Leonard Dwayne Peters, 57, who admitted his role in helping to divert the pension plan money and for concealing that diversion.

The investigation and convictions resulted from a complaint filed by a pension plan participant and company employee with the San Francisco Regional Office of the Pension and Welfare Benefits Administration of the United States Department of Labor.

Bette J. Briggs, Regional Director of the Pension and Welfare Benefits Administration (PWBA), said, "This case shows how important it is for employees to actively monitor their account balances and ask questions of their employers. Employees who uncover problems with their pension plans should contact the U.S. Department of Labor at (415) 975-4600."

Bentz is scheduled to be sentenced on September 14, 2001. He faces a maximum term of imprisonment of 16 years.

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